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16 Attorneys for Defendant

17 **UNITED STATES DISTRICT COURT**
18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
19 **OAKLAND DIVISION**

20 THE CENTER FOR INVESTIGATIVE
21 REPORTING,

22 Plaintiff,

23 v.

24 UNITED STATES DEPARTMENT OF
25 HOMELAND SECURITY,

26 Defendant.

Case No. 4:18-cv-00044-KAW

**STIPULATION AND PROPOSED
ORDER AS MODIFIED**

Judge: Hon. Kandis A. Westmore

27 The parties, through their counsel, hereby stipulate as follows:

28 This suit concerns Plaintiff Center for Investigative Reporting's ("CIR") March 21, 2017
FOIA request to U.S. Customs and Border Protection. Dkt. No. 1. When CIR filed the complaint
on January 23, 2018, CBP had not responded to the request. *Id.*

On June 5, 2018, the agency produced 150 pages of records. The production did not include

1 the primary document—a spreadsheet—CIR sought. Considering, in part, that fact and the time that
2 had passed since CIR made its request, the Court set a summary judgment hearing date. Dkt. No.
3 25.

4 After the parties’ extensive efforts to identify the spreadsheet and to secure its production,
5 the agency has produced the subject spreadsheet, so it appears. The production, though, includes
6 certain redactions that CIR contends are inappropriate. The parties are working cooperatively to
7 attempt to resolve those issues without motion practice.

8 In addition, the Assistant United States Attorney who has been assigned to this case from its
9 start will depart the United States Attorney’s Office on November 16, 2018, to begin another public
10 service position.

11 Given these developments, the parties respectfully request that the Court vacate the current
12 summary judgment deadline and set a case management conference for January 8, 2018. Meanwhile,
13 the parties will make their best efforts to work through the remaining issues in this case.

14
15
16 DATED: November 2, 2018

Respectfully submitted,

17 /s/ David Pereda*

18 David Pereda
19 Assistant United States Attorney
20 ATTORNEY FOR DEFENDANT

21 DATED: November 2, 2018

22 /s/ D. Victoria Baranetsky
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1 PURSUANT TO STIPULATION, IT IS SO ORDERED. The summary judgment deadline
2 is vacated. A further Case Management Conference is set for January 22, 2019. A status report shall
3 be due by December 31, 2018.

4
5 Dated: 11/6/18

6 
7 KANDIS A. WESTMORE
8 UNITED STATES MAGISTRATE JUDGE

9 *CERTIFICATION

10 Pursuant to Civil L.R. 5-1(i)(3), I, David Pereda, hereby attest that Mr. Campisi concurred in
11 the filing of this document.
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